

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK**

PleasrDAO, an exempted foundation company,

Plaintiff,

V.

Martin Shkrelidze,

Defendant.

Case No.: 24-cv-04126

**ORDER TO SHOW CAUSE FOR TEMPORARY RESTRAINING ORDER
PRELIMINARY INJUNCTION, ORDER SEIZING ASSETS, AND ORDER FOR
DISGORGEMENT AND ACCOUNTING**

Upon the accompanying (i) Declaration of Matthew Matkov, dated June 10, 2024, and its annexed exhibits, (ii) Declaration of Steven Cooper, dated June 10, 2024, and its annexed exhibit, (iii) Plaintiff's Memorandum of Law in Support of its Application for Temporary Restraining Order, Preliminary Injunction, Order Seizing Assets, and Order for Disgorgement and Accounting, dated June 10, 2024, and (iv) the annexed Verified Complaint, it is hereby:

ORDERED that the above-named Defendant show cause before this Court, at Room 6B South, United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York, on the ____ day of _____, 2024, at _____ a.m./p.m., of that day, or as soon thereafter as counsel may be heard, why an order should not be entered for:

1. A preliminary injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure (“FRCP”) and/or New York Civil Practice Law & Rules (“CPLR”) § 6301 forbidding Shkreli from (i) possessing, using, disseminating, or selling any interests in the album *Once Upon a Time in Shaolin* by the Wu-Tang Clan (the “Album”), including its data

- and files, or in any way causing further damage to Plaintiff respecting the Album;
2. An order pursuant to the Court's equitable powers compelling Defendant to provide an inventory and account of (i) the copies of the Album's data and files that he retained, (ii) the individuals to whom he distributed those data and files, and (iii) the profits traceable to his retention and distribution of the data and files, and/or an order authorizing Plaintiff to examine Defendant for the purpose obtaining information regarding the location of his retained and distributed copies of the Album and its data and files, under FRCP 64 and CPLR § 7112;
 3. An order seizing all of Defendant's remaining copies of the Album's data and files and/or compelling the return of those copies pursuant to 18 U.S.C. § 1836(b)(2), FRCP 64, and CPLR § 7102(d)(1);

IT IS FURTHER ORDERED that, sufficient reason having been shown pending the hearing of the plaintiff's application for a preliminary injunction, but in no event beyond ___ days from the entry of this order, unless extended by the Court, Defendant is temporarily restrained and enjoined pursuant to FRCP 65 and/or CPLR 6301 from (i) possessing, using, disseminating, or selling any interests in the Album, including its data and files, or in any way causing further damage to Plaintiff respecting the Album and

IT IS FURTHER ORDERED that, sufficient reason having been shown pending the hearing of the plaintiff's application for a preliminary injunction, Defendant provide an inventory and account of (i) the copies of the Album's data and files he has retained, (ii) the individuals to whom he distributed those data and files, and (iii) the profits traceable to his retention and distribution of those files, if any, and an order compelling Shkreli to submit to an examination regarding the same, and/or, an order authorizing Plaintiff to examine Defendant for the purpose

obtaining information regarding the location of his retained and distributed copies of the Album and its data and files, under CPLR § 7112. **IT IS FURTHER ORDERED** that security is not required to be posted by Plaintiff; and

IT IS FURTHER ORDERED that personal service of a copy of this Order to Show Cause and the papers upon which it is based, upon Defendant on or before ____, 2024, by overnight mail shall be deemed good and sufficient service thereof; and

IT IS FURTHER ORDERED that Defendant shall file responsive papers to Petitioner's application, via ECF, on or before ____, 2024; and

IT IS FURTHER ORDERED that Plaintiff shall file reply papers in further support of its application, via ECF, on or before ____, 2024.

SO ORDERED, this ____ day of June, 2024.

United States District Judge